

**SUPREME COURT MINUTES
WEDNESDAY, MAY 18, 2011
SAN FRANCISCO, CALIFORNIA**

S191400 D055671 Fourth Appellate District, Div. 1 **PEOPLE v. MANZO
(MARTIN)**

Petition for review granted; issues limited

Defendant's petition for review is denied.

Review is ordered on the court's own motion. The issue to be briefed and argued is limited to the following: Could defendant be convicted of discharging a firearm at an occupied motor vehicle in violation of Penal Code section 246, if he was outside the vehicle at the time he discharged his firearm but the firearm itself was inside the vehicle?

For the purposes of briefing and oral argument, the People are deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S192784 H036143 Sixth Appellate District **PEOPLE v. LARA (RICARDO
ANTONIO)**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S191317 B219748 Second Appellate District, Div. 7 **PEOPLE v. AVILA (JOSE
ALBERTO)**

Review granted on the court's own motion; briefing deferred

Defendants' petitions for review are denied.

The People's petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Favor*, S189317 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S191676 D056837 Fourth Appellate District, Div. 1 **PEOPLE v. ZARATE
(SALVADOR BRICENO)**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in

People v. Brown, S181963 (see Cal. Rules of Court, rule 8.524(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S191756 B214333 Second Appellate District, Div. 8 **TIEN (KEVIN) v. TENET
HEALTHCARE
CORPORATION**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Brinker Restaurant v. Superior Court*, S166350 (see Cal. rules of Court, rule 8.524 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S192116 B224697/B224701 Second Appellate District, Div. 6 **PEOPLE v. KOONTZ
(TREVOR LEE)**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Brown*, S181963 and *People v. Lara*, S192784 (see Cal. Rules of Court, rule 8.524 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S191946 E053173 Fourth Appellate District, Div. 2 **SAN BERNARDINO,
COUNTY OF v. WORKERS'
COMPENSATION APPEALS
BOARD (McCOY)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Two, with directions to issue a writ of review

The petition for review granted.

The matter is transferred to the Court of Appeal, Fourth District, Division Two, with directions to vacate its order denying a writ of review and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S179903 E048972 Fourth Appellate District, Div. 2 **PEOPLE v. SANCHEZ (RAUL A.)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Hernandez* (2011) 51 Cal.4th 733. (Cal. Rules of Court, rule 8.528(d).)
Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, and Corrigan, JJ.

S190970 B219543 Second Appellate District, Div. 7 **PEOPLE v. CUADRA (FRANCISCO)**

Petition for review denied

S191016 C067080 Third Appellate District **PEOPLE v. MUNIZ (RAFAEL RODRIGUEZ)**

Petition for review denied

S191213 **BRYANT (STANLEY) v. S.C. (PEOPLE)**

Petition for writ of mandate/prohibition denied

Although the trial court ordered that volumes 74A and 83 of the reporter's transcript on appeal in *People v. Bryant, Smith and Wheeler*, S046596 (Los Angeles County Superior Court Nos. A711739 and A713611) were to be unsealed, they were filed under seal in the record on appeal. Accordingly, the court on its own motion orders that these transcripts be unsealed by the Clerk. Petitioner Stanley Bryant's "Application for Leave to File Under Seal Petition for Writ of Mandate," filed on March 7, 2011, is denied as moot. The Clerk is directed to file in the public record petitioner Bryant's petition for a writ of mandate lodged conditionally under seal on March 7, 2011.

The application of Leroy Wheeler to join in the petition for a writ of mandate is granted.
The petition for a writ of mandate is denied.

S191350 C056900 Third Appellate District **PEOPLE v. NUNEZ (ELICEO)**
Petition for review denied

S191409 D056814 Fourth Appellate District, Div. 1 **PEOPLE v. SOTO (MARIO IVAN)**

Petition for review denied

S191445	B216298 Second Appellate District, Div. 2	PEOPLE v. BROWN (DOMINIC DOHNTE)
Petitions for review denied		
S191462	D056990 Fourth Appellate District, Div. 1	PEOPLE v. BUTLER (CHRISTOPHER)
Petition for review denied		
S191488	A123907 First Appellate District, Div. 4	PEOPLE v. BUI (PHONG)
Petition for review denied		
S191489	B224390 Second Appellate District, Div. 7	PEOPLE v. ROSS (DEANGELO WAYNE)
Petition for review denied		
S191492	D055655/D056092 Fourth Appellate District, Div. 1	PEOPLE v. BOLTON (EXODUS)
Petition for review denied		
Kennard, J., is of the opinion the petition should be granted.		
S191503	A126490 First Appellate District, Div. 1	DALEY (GERTRUDE C.), ESTATE OF
Petition for review & publication request(s) denied		
S191517	B217302 Second Appellate District, Div. 5	GARDENA, CITY OF v. RIKUO CORPORATION
Petition for review denied		
S191531	G042550/G043258 Fourth Appellate District, Div. 3	PEOPLE v. PRIETO (THOMAS MANUEL)
Petition for review denied		
S191537	B223026 Second Appellate District, Div. 6	PEOPLE v. THERIAULT- ODOM (RAINNE)
Petition for review denied		

S191538 A123711 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. ELLIOTT
(TRAVIS NEAL)**

S191558 H035591 Sixth Appellate District

Petition for review denied

IN RE ANTONIO V.

S191571 D058303 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. THORNTON
(WILLIAM CECIL)**

S191574 G042575 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. STILLITTANO
(JEFFREY ANDREW)**

S191575 D057987 Fourth Appellate District, Div. 1

Petition for review & publication request(s) denied

**S.G. v. S.C. (DISTRICT
ATTORNEY OF SAN DIEGO
COUNTY)**

S191576 D056964 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HARRINGTON
(STEVE)**

S191577 H034305 Sixth Appellate District

Petition for review denied; CA opinion decertified

The petition for review is denied.

On the court's own motion, the Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed February 8, 2011, which appears at 192 Cal.App.4th 637. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.) Kennard, J., is of the opinion the petition should be granted.

**PEOPLE v. XINOS (GEORGE
CONSTANTINE)**

S191584 C067033 Third Appellate District

Petition for review denied

**PELLERIN (GREGORY) v.
S.C. (PEOPLE)**

S191588 D056621 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. AGUILAR
(CHRISTIAN)**

S191591 C064107 Third Appellate District

Petition for review denied

**PEOPLE v. REEP (NATHAN
OLNEY)**

S191606 B226376 Second Appellate District, Div. 4

Petition for review & depublication request(s) denied
Kennard and Chin, JJ., were recused and did not participate.

**JOHNSON & JOHNSON v.
S.C. (TREJO)**

S191610 C061136 Third Appellate District

Petition for review denied

**PEOPLE v. LEWIS (SEAN
JULIAN)**

S191613 D055659 Fourth Appellate District, Div. 1

Petition for review denied

**CALIFORNIA SCHOOL
BOARDS ASSOCIATION v.
STATE OF CALIFORNIA**

S191619 C063498 Third Appellate District

Petition for review denied

**PEOPLE v. RYAN (NORMAN
RAY)**

S191621 E049008 Fourth Appellate District, Div. 2

Petition for review denied
Kennard, J., is of the opinion the petition should be granted.

**PEOPLE v. GOMEZ
(CARLOS)**

S191698 C063659/C066381 Third Appellate District

Petition for review denied

**PEOPLE v. HENDERSON
(TOMMY)**

S191763 B231253 Second Appellate District, Div. 6
Petition for review denied

KAO (CHUNG) v. S.C.

S191778 E049536 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. McDANIEL
(DESHANTAE LEON)**

S191783 B225907 Second Appellate District, Div. 8
Petition for review denied

**ZEIGLER (HAROLD) ON
H.C.**

S191790 B222021 Second Appellate District, Div. 1
Petition for review denied

**PEOPLE v. GOMEZ (JESUS
GARCIA)**

S191816 D057005 Fourth Appellate District, Div. 1

Petition for review denied
Chin, J., was recused and did not participate.

**GOMES (JOSE) v.
COUNTRYWIDE HOME
LOANS, INC.**

S191824 A122449 First Appellate District, Div. 3

Petition for review denied
Baxter and Chin, JJ., were recused and did not participate.

**SHELBY (MACK) v.
SEARIVER MARITIME, INC.**

S191853 C063503 Third Appellate District

Petition for review denied

**PEOPLE v. DYE (WILLIAM
ROBERT)**

S191882 E049202 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. KEITH
(NATHANAEL)**

S191918 B216607 Second Appellate District, Div. 8

Petition for review denied

**CORETRONIC
CORPORATION v.
O'CONNOR (COZEN)**

S191926 C064686 Third Appellate District
Petition for review denied

C.R. v. DAVIS (STEVE)

S191927 B221979 Second Appellate District, Div. 8

Petition for review denied

**DE LA CANAL (YESENIA) v.
CITY OF LOS ANGELES**

S192068 B219921 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. AVILES (JOSE
LUIS)**

S192087 B231550 Second Appellate District, Div. 8

Petition for review denied

**GOMEZ (RALPH) v. S.C.
(PEOPLE)**

S192099 B225242 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. DELORENZO
(ANTHONY)**

S192106 B218487 Second Appellate District, Div. 6

Petition for review denied

**SAUCEDO (SYLVIA) v. CLIFF
VIEW TERRACE, INC.**

S192108 G043435 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SMITH
(GREGORY)**

S192112 F059867 Fifth Appellate District

Petition for review denied

**PEOPLE v. BROWN (WILLIE
DONTE)**

S192114

Petition for writ of mandate/prohibition denied

The petition for hearing for redress of grievances, filed April 11, 2011, is denied.

**SEEHAUSEN (SCOTT C.) v.
S.C. (PEOPLE)****S192115** F060183 Fifth Appellate District

Petition for review denied

**PEOPLE v. BROWN (WILLIE
DONTE)****S192118** F059429 Fifth Appellate District

Petition for review denied

**PEOPLE v. CASTELLANOS
(JOHN S.)****S192125** C066892 Third Appellate District

Petition for review denied

**RESTORATION GROUP, INC.
v. McCOLM (PATRICIA A.)****S192135** B221558 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. SANDOVAL
(MANUEL)****S192142** B230871 Second Appellate District, Div. 7

Petition for review denied

**HOUSTON (BERNARD) ON
H.C.****S192145** E049705 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. KEMP, JR.,
(LEONARD RUDOLPH)****S192147** D057835 Fourth Appellate District, Div. 1

Petition for review denied

IN RE B.F.**S192148** A126818 First Appellate District, Div. 2

Petition for review denied

**McCORMICK (DAJOHN) v.
COUNTY OF ALAMEDA**

S192150 C063524 Third Appellate District

Petition for review denied

PEOPLE v. WITTS (CYNTHIA JOAN)

S192162 B223398 Second Appellate District, Div. 1

Petition for review denied

RENEWABLE ENERGY PRODUCTS LLC. v. LAKELAND DEVELOPMENT COMPANY

S192163 G044835 Fourth Appellate District, Div. 3

Petition for review denied

ALKAYALI (AHMAD) v. S.C. (QUADRI)

S192172 F057607 Fifth Appellate District

Petition for review denied

PEOPLE v. ACOSTA (MAXIMINO CAMACHO)

S192173 H035426 Sixth Appellate District

Petition for review denied

PEOPLE v. BANKS, JR., (EZELL)

S192175 B214452 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. ONG (DAO LAN)

S192193 B219123 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. MAYNE (GEOFFREY)

S192197 B220317 Second Appellate District, Div. 6

Petition for review denied

STOKER (STEVEN WAYNE), ESTATE OF

S192211 E050309 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DANIEL
(ROBERT JOSEPH)**

S192213 B223337 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. EREDIA (TRINO)

S192215 B218415 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. SYNDER (ALVIN)

S192216 C062034 Third Appellate District

Petition for review denied

**PEOPLE v. BERGER
(MICHAEL WALTER)**

S192222 C064211 Third Appellate District

Petition for review denied

**PEOPLE v. KLIEBE
(ROBERT DEAN)**

S192223 B219859 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CLAROS
(LEANDRO)**

S192226 B216743 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LUPERCIO (JUAN
CARLOS)**

S192232 A128360 First Appellate District, Div. 5

Petition for review denied

**COLEMAN (CHESTER
PAUL), ESTATE OF**

S192237 B231472 Second Appellate District, Div. 4

Petition for review denied

**INGRAM (CURTIS
CLIFFORD) ON H.C.**

S192238 B228728 Second Appellate District, Div. 3

Petition for review denied

**BLADEN (PAUL) v.
WORKERS'
COMPENSATION APPEALS
BOARD & LUMEI
OPTOELECTRONICS
CORPORATION**

S192240 B218395 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. CRAYON
(CHARLES EDWARD)**

S192241 A127328 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CUTRELL
(CLIFFORD MERLE)**

S192243 C064391 Third Appellate District

Petition for review denied

**PEOPLE v. HAWORTH
(JEFFREY)**

S192244 C063715 Third Appellate District

Petition for review denied

**PEOPLE v. McALISTER
(CARRIE RENEE)**

S192253 B223741 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BRUNER
(RONALD)**

S192255 A129293 First Appellate District, Div. 4

Petition for review denied

Baxter and Corrigan, JJ., were recused and did not participate.

**McDOWELL (FRANK A.) v.
U.S. BANK NATIONAL
ASSOCIATION**

S192259 C067349 Third Appellate District

Petition for review denied

**RUTLEDGE (EUGENE) v.
DEPARTMENT OF
CORRECTIONS &
REHABILITATION**

S192266

Petition for writ of mandate/prohibition denied

**WITKIN (MICHAEL AARON)
v. COURT OF APPEAL,
THIRD APPELLATE
DISTRICT (PEOPLE)**

S192274 B222012 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BRADLEY
(JONATHAN)**

S192275 D057731 Fourth Appellate District, Div. 1
Petition for review denied

CHERRY (LESTER) ON H.C.

S192280 F059196 Fifth Appellate District

Petition for review denied

**PEOPLE v. WALKER
(BRADLEY VEL)**

S192285 H036084 Sixth Appellate District

Petition for review denied
The request for judicial notice is denied.

**MARINA COAST WATER
DISTRICT v. S.C. (AG LAND
TRUST)**

S192289 B225490 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. PORTER (ROY
EDWARD)**

S192299 C064880 Third Appellate District
Petition for review denied

IN RE D.T.

S192375 F061522 Fifth Appellate District
Petition for review denied

COOK (RONALD) ON H.C.

S192859 A131680 First Appellate District, Div. 1
Petition for review & application for stay denied

BROWN (NERRAH) ON H.C.

S192927 C067956 Third Appellate District

Petition for review & application for stay denied

**DEV (AJAY KUMAR) v. S.C.
(PEOPLE)**

S192968 B232370 Second Appellate District, Div. 8
Petition for review & application for stay denied

REED (MARK) ON H.C.

S184113

Petition for writ of habeas corpus denied

**LEGRONE (BERNARD T.) ON
H.C.**

S184125

Petition for writ of habeas corpus denied

**COLLIER (JAMES BARTEL)
ON H.C.**

S184933

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**CLARK (THOMAS
MICHAEL) ON H.C.**

S185229

Petition for writ of habeas corpus denied

**WELLS (ANDRE LAVAR) ON
H.C.**

S186575

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

BULLOCK (CARL) ON H.C.

S186814

Petition for writ of habeas corpus denied

**MURPHY (GREGORY
ADONIS) ON H.C.****S186856**

Petition for writ of habeas corpus denied

**DIXON (TIMOTHY AARON)
ON H.C.****S186881**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**PIOLA (GEORGE A.) ON
H.C.****S186954**

Petition for writ of habeas corpus denied

**GRAY (DERRICK ELLIOT)
ON H.C.****S187399**

Petition for writ of habeas corpus denied

SIMS (JAMES) ON H.C.**S187493**

Petition for writ of habeas corpus denied

**BOWMAN (EDWARD LEE)
ON H.C.****S187496**

Petition for writ of habeas corpus denied

**REECE (SEAN EDWARD) ON
H.C.****S187676**

Petition for writ of habeas corpus denied

GUERRA (MARCO) ON H.C.**S187881**

Petition for writ of habeas corpus denied

ASOLA (ROLANDO) ON H.C.

S187884**DIXIE II (JAMES L.) ON H.C.**

Petition for writ of habeas corpus denied

S187901**WEST, JR., (MACK) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S187912**ROSE (DANIEL W.) ON H.C.**

Petition for writ of habeas corpus denied

S187916**JONES (JOHN EARL) ON
H.C.**

Petition for writ of habeas corpus denied

S187919**CULBERTSON (DONALD W.)
ON H.C.**

Petition for writ of habeas corpus denied

S187926**BAKER (TOMMIE LEE) ON
H.C.**

Petition for writ of habeas corpus denied

S187928**GREEN (JASON) ON H.C.**

Petition for writ of habeas corpus denied

S187932**SALDANA (SAMUEL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S187948**HANEY (DAVID ROBERT)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S187952**REINHARDT (DAVE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S187967**COX (JEFFREY LEE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304, 769; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S187976**WILSON (LAWRENCE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S187995**SCOTT (FLOYD DEWAINÉ)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S188010**ALMEIDA (ROCK A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S188023**JACKSON (STEPHEN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S188026

Petition for writ of habeas corpus denied

HOWARD (ERNIE) ON H.C.**S188038**

Petition for writ of habeas corpus denied

FERNANDEZ (FRANK J.) ON H.C.**S188051**

Petition for writ of habeas corpus denied

GONZALES (IGNACIO) ON H.C.**S188052**

Petition for writ of habeas corpus denied

SIDHARTA (STEPHANUS S.) ON H.C.**S188082**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

SMITH (FREDERICK WAYNE) ON H.C.**S188083**

Petition for writ of habeas corpus denied

BALOCCA (JOHN PAUL) ON H.C.**S188097**

Petition for writ of habeas corpus denied

DAVIS (AMY) ON H.C.**S188098**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

AYYAR (RAJAN RAMA) ON H.C.**S188100**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

MURPHY (MARQUIEST LEON) ON H.C.

S188122**TOWERY (GLENN RAFAEL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188131**EVANS (MARLON DARREL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188133**EDWARDS (ANTHONY A.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188160**CEJA (JORGE ARON) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188171**JACKSON (DaJUAN) ON H.C.**

Petition for writ of habeas corpus denied

S188179**ZAMUDIO (JUAN) ON H.C.**

Petition for writ of habeas corpus denied

S188193**CORONADO (RICARDO) ON
H.C.**

Petition for writ of habeas corpus denied

S188197**SHERMAN (JOSEPH A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S188207**MEARIS (DANNY A.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188211**DIXIE II (JAMES L.) ON H.C.**

Petition for writ of habeas corpus denied

S188258**RUIZ (FLAVIO) ON H.C.**

Petition for writ of habeas corpus denied

S188264**HAMMOND (KEITH) ON H.C.**

Petition for writ of habeas corpus denied

S188265**TURNER (ANTHONY R.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S188270**CHAVEZ (LEO JR.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S188310

C066481 Third Appellate District

GALLOWAY (PETER) ON H.C.

Petition for writ of habeas corpus denied

S188333**BASSETT (RICHARD DeWAYNE) ON H.C.**

Petition for writ of habeas corpus denied

S188349**ANDERSON (FREDRICK) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

S188351**TAYLOR (CARDE KEISHON)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S188358**JACKSON (GREGORY) ON
H.C.**

Petition for writ of habeas corpus denied

S188379**PETILLO (ISAIAH JOEL) ON
H.C.**

Petition for writ of habeas corpus denied

S188398**SIMPSON (LAURINCE
O'SHEIGH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S188412**TAYLOR (JEFFREY
LAMONT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S188503**AMERSON (RONALD H.) ON
H.C.**

Petition for writ of habeas corpus denied

S188506**MOFFAT (CHARLES ALLEN)
ON H.C.**

Petition for writ of habeas corpus denied

S188583**O'DELL (ERIC ANDREW) ON
H.C.**

Petition for writ of habeas corpus denied

S188594**ALMEIDA (CARLOS) ON
H.C.**

Petition for writ of habeas corpus denied

S188597**ESPINOZA (ISMAEL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S188605**PHILLIPS (NICHOLAS
EUGENE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188610**PIERCE (DALE A.) ON H.C.**

Petition for writ of habeas corpus denied

S188614**WHITE (CLEOFAS) ON H.C.**

Petition for writ of habeas corpus denied

S188620**BURNS (MONROE W.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188625**MORAN (MARCO ALONSO)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S188629**GONZALEZ (JOSEPH
MICHAEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S188633**WILLIAMS (ELLIS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188671**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S188685**TAPIA (LUIS) ON H.C.**

Petition for writ of habeas corpus denied

S188691**NGAUE (MOALA
TOFAVAHA) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188694**GOMEZ (JOHN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S188716**CLAYCOMB (WILLIAM) ON
H.C.**

Petition for writ of habeas corpus denied

S188728**ARELLANES (BOBBY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S188730**GARMON (DURRAY M.) ON
H.C.**

Petition for writ of habeas corpus denied

S188732**BURNELL (JOE BABY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S188747**ROGERS (JAMAR ROYLEE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S188748**GORHAM, JR., (ARTIS E.) ON
H.C.**

Petition for writ of habeas corpus denied

S188750**WASHINGTON (MARCUS D.)
ON H.C.**

Petition for writ of habeas corpus denied

S188764**WASHINGTON (MARCUS
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

S188766**CHAVEZ (ARMANDO) ON
H.C.**

Petition for writ of habeas corpus denied

S188773**BROWN (WILLIS R.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S188779**TAYLOR (JEFFREY
LAMONT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S188831**CARAWAY (RORY) ON H.C.**

Petition for writ of habeas corpus denied

S188833

Petition for writ of habeas corpus denied

JIMENEZ (BLAS) ON H.C.**S188840**

Petition for writ of habeas corpus denied

BIN (SITHY) ON H.C.**S188947**

Petition for writ of habeas corpus denied

**JORDAN (MATTHEW S.) ON
H.C.****S188948**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

**BERGNE (PETER M.) ON
H.C.****S188949**

Petition for writ of habeas corpus denied

**BROWN (ANTHONY) ON
H.C.****S188951**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**PUEBLA (RODOLFO P.) ON
H.C.****S188981**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**SANDERS (MICHAEL) ON
H.C.****S188983**

Petition for writ of habeas corpus denied

**GUYTON (FRANCISCO G.)
ON H.C.****S188998**

Petition for writ of habeas corpus denied

**SUNDERLAND (DERRECK)
ON H.C.**

S189008**McCOY (GERALD) ON H.C.**

Petition for writ of habeas corpus denied

S189010**ROSE (STEVEN W.) ON H.C.**

Petition for writ of habeas corpus denied

S189032**NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)**S189455****NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)**S189456****NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)**S189911****NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S190360****NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S190385****NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S191039**HANEY (BRUCE PATRICK)
ON H.C.**

Petition for writ of habeas corpus denied

S191113**HANEY (BRUCE PATRICK)
ON H.C.**

Petition for writ of habeas corpus denied

S191186**NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)**S191206****SOLIS (ELEAZAR MUNOZ)
ON H.C.**

Petition for writ of habeas corpus denied

S191410**MONTGOMERY (MAURY)
ON H.C.**

Petition for writ of habeas corpus denied

S191697**NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S191725****NGUON (HUNG DUONG) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)**S191752****THORNTON (WILLIAM
CECIL) ON H.C.**

Petition for writ of habeas corpus denied

S191987**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S192008**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S192055**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S192066**J'ERONN (DARRYL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Villa* (2009) 45 Cal.4th 1063; *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)

S192094**JACKSON (STEPHEN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S192155**KENNEDY (MICHAEL
GERARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S192191**GOMEZ (RALPH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S192233**SINGH (SUKHBIR) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S192368**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S192369**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S192428**PAGE (KEITH J.) ON H.C.**

Petition for writ of habeas corpus denied

S192460**JACKSON (STEPHEN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S192463**LUNSFORD (KELLY WEBB)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S192607**MONTGOMERY (MAURY)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S193033**DEV (AJAY KUMAR) ON H.C.**

Petition for writ of habeas corpus & application for stay denied

S184344

B212210 Second Appellate District, Div. 3

PEOPLE v. CHUNG (KEITH)

Publication ordered (case closed)

On request of the Court of Appeal, the Reporter of Decisions is directed to publish the above entitled appeal in the Official Reports. (See Cal. Rules of Court, rules 8.1105(e) & 8.1120(c).)

S191353 E052273 Fourth Appellate District, Div. 2 **APPLE VALLEY, TOWN OF
v. S.C. (VELASQUEZ)**

Publication request denied (case closed)

S191560 B222315 Second Appellate District, Div. 6 **BORGER (STEVEN) v.
DEPARTMENT OF MOTOR
VEHICLES**

Depublication request denied (case closed)

S191569 G043723 Fourth Appellate District, Div. 3 **IN RE J.M.**
Publication request denied (case closed)

S191875 B226170 Second Appellate District, Div. 7 **BABALOLA (MICHAEL) v.
S.C. (PEOPLE)**

Depublication request denied (case closed)

S192091 H035509 Sixth Appellate District **HERNANDEZ (GERARDO) v.
S.C. (PEOPLE)**

Publication request denied (case closed)

S192169 B223698 Second Appellate District, Div. 1 **IN RE DAISY H.**
Depublication request denied (case closed)

S186345 **BALDWIN (PRESTON) ON
H.C.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to May 31, 2011.

S187020 H034382 Sixth Appellate District **PEOPLE v. BAILEY (ROBIN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 13, 2011.

S187965 G038379 Fourth Appellate District, Div. 3 **PEOPLE v. MOSLEY
(STEVEN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to July 10, 2011.

S184583 C061150 Third Appellate District **AMERICAN NURSES
ASSOCIATION v.
O'CONNELL (JACK)/
(AMERICAN DIABETES
ASSOCIATION)**

Application to appear as counsel pro hac vice granted

The application of April J. Anderson and Gregory B. Friel for admission pro hac vice to appear on behalf of the United States is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S083899 **PEOPLE v. BOOKER
(RICHARD LONNIE)**

Counsel appointment order filed

Upon request of condemned inmate Richard Lonnie Booker for appointment of counsel, Robert M. Sanger is hereby appointed to represent condemned inmate Richard Lonnie Booker for habeas corpus/executive clemency proceedings related to the above automatic appeal now final in this court.

Any "petition for a writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36 months" of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court's delay in appointing habeas corpus/executive clemency counsel on behalf of condemned inmate Richard Lonnie Booker.

S189461 C063710 Third Appellate District **PEOPLE v. ATENCIO, JR.,
(ANGELO)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Jennifer A. Mannix is hereby appointed to represent appellant on the appeal now pending in this court.

S191020 E049932 Fourth Appellate District, Div. 2 **PEOPLE v. AHMED (AMIR
A.)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Phillip I. Bronson is hereby appointed to

represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S191261 F060094 Fifth Appellate District
Counsel appointment order filed

IN RE ROBERT M.

Upon request of appellant for appointment of counsel, Deanna F. Lamb is hereby appointed to represent appellant on the appeal now pending in this court.

S049596

**PEOPLE v. BRYANT
(STANLEY), SMITH
(DONALD FRANKLIN), &
WHEELER (LEROY)**

Motion for access to sealed record granted

Appellant Stanley Bryant's "Application for an Expedited Order Allowing Counsel to Inspect and Copy Sealed and Confidential Documents," filed on December 1, 2010, is granted in part and denied in part, in part without prejudice.

The Clerk is directed to serve on counsel for all parties copies of the indexes of the following sealed portions of the clerk's transcript on appeal: Supplemental III, Supplemental IV, Supplemental IV-A, and Supplemental V. In addition, counsel are hereby informed the record on appeal contains a sealed transcript of the reporter's transcript of the proceedings on January 12, 1993.

Appellant Bryant's request to inspect and copy materials sealed pursuant to Penal Code section 987.9 is granted. The clerk is directed to provide the Habeas Corpus Resource Center access to those materials pertaining to appellant Bryant contained in the sealed "Supplement I, Confidential Volume, 987.9 Documents" of the clerk's transcript on appeal. Counsel must supply the personnel and equipment necessary to undertake the examination and copying of the records, which must occur on the premises of the court. Unless otherwise ordered by this court, the sealed documents described in this order are to remain under seal, and any subsequent document filed publicly in this court must not disclose material contained in the sealed documents. (Pen. Code, § 987.9, subd. (a).)

Appellant Bryant's request to inspect and copy other materials in the record on appeal that the trial court sealed for Bryant's benefit is denied without prejudice. Bryant may renew his motion for access to these sealed materials if, in light of the information provided by (1) this order, (2) the publicly filed indexes in the clerk's and reporter's transcripts, and (3) other publicly filed orders filed in this case, he identifies specific sealed materials to which he believes he is entitled. (See Cal. Rules of Court, rule 8.46(c) & (f).)

In all other respects the application is denied.

S049596**PEOPLE v. BRYANT
(STANLEY), SMITH
(DONALD FRANKLIN), &
WHEELER (LEROY)**

Motion denied

The “Motion of Appellant/Petitioner Leroy Wheeler for Clarification of Order for Evidentiary Hearing on Petitioner’s Competence to Proceed in Habeas Corpus,” filed on April 1, 2011, is denied.

S049596**PEOPLE v. BRYANT
(STANLEY), SMITH
(DONALD FRANKLIN), &
WHEELER (LEROY)**

Order filed

The court has been advised that counsel for some appellants have inadvertently been provided confidential materials concerning codefendants’ requests for funding of trial expenses pursuant to section 987.9 of the Penal Code. Counsel for appellants Bryant, Smith and Wheeler are hereby ordered to inspect all sealed section 987.9 materials they have been provided and to remove and submit to this court any materials pertaining to funding requests of any trial defendant other than the appellant counsel represents. Counsel are directed not to make any use of any confidential information of the codefendants they might have learned from the inadvertently included materials.

S160211 H028021 Sixth Appellate District**VOICES OF THE WETLANDS
v. CALIFORNIA STATE
WATER RESOURCES
CONTROL BOARD/(DUKE
ENERGY MOSS LANDING
LLC.)**

Order filed

The request of counsel to allow appellant California State Water Resources Control Board and the real parties in interest to share oral argument time in the above-referenced cause is hereby granted. The request of the parties to allocate to appellant California State Water Resources Control Board 20 minutes and real party in interest Dynegy Moss Landing, LLC 10 of the 30-minute allotted time for oral argument is granted.

S160211 H028021 Sixth Appellate District

**VOICES OF THE WETLANDS
v. CALIFORNIA STATE
WATER RESOURCES
CONTROL BOARD/(DUKE
ENERGY MOSS LANDING
LLC.)**

Request for judicial notice granted

The request for judicial notice, filed October 12, 2010, by defendant California Regional Water Quality Control Board-Central Coast Region is granted. The request for judicial notice, filed September 21, 2010, by amici curiae North Coast Unified Air Quality Control District, Northern Sonoma County Air Pollution Control District, South Coast Air Quality Management District, and San Diego County Air Pollution Control District is denied.

S175275

**ABEL (JOHN CLYDE) ON
H.C.**

Motion to file document under seal granted

Respondent's "Application for Leave to File Sealed Informal Response to Petition for Writ of Habeas Corpus with Sealed Exhibits," filed on December 2, 2010, is granted.

The Clerk is directed to file under seal the "Informal Response to Petition for Writ of Habeas Corpus" and Volume II of the supporting exhibits, which were lodged conditionally under seal on December 2, 2010. In ordering the sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(e). These documents are to remain under seal until further order of this court.

Because Volumes I and III of the Exhibits in Support of Informal Response to Petition for Writ of Habeas Corpus do not contain any exhibits that respondent has requested be sealed, their filing is stricken and the Clerk is directed to return the "redacted versions" of Volumes I and III of the Exhibits in Support of Informal Response to Petition for Writ of Habeas Corpus, which were filed on December 2, 2010. The Clerk further is directed to file, unsealed, Volumes I and III of the Exhibits in Support of Informal Response to Petition for Writ of Habeas Corpus, which had been lodged conditionally under seal on December 2, 2010.

As to the documents that have been ordered sealed, respondent's counsel is ordered to serve a copy of these documents on counsel for petitioner, unless she has already done so, and petitioner is ordered not to publicly disclose their contents unless and until there is a further order of this court permitting such disclosure. Counsel for petitioner are reminded that if they wish to quote, disclose, or describe these documents in any portion of their Reply, those portions of the Reply must be filed under seal, for which permission must first be sought under California Rules of Court, rule 8.160.

S179115 D053620 Fourth Appellate District, Div. 1

**HOWELL (REBECCA) v.
HAMILTON MEATS &
PROVISIONS, INC.**

Request for judicial notice granted

Amicus curiae CSAC Excess Insurance Authority's request for judicial notice, filed August 31, 2010, is granted.

S179194 H034040 Sixth Appellate District

**BAKER (CHRISTINE L.) v.
WORKERS'
COMPENSATION APPEALS
BOARD & XZZX SJ02**

Order filed

The request of respondent XZZX SJ02 to allocate to amicus curiae California Applicant's Attorneys Association 15 minutes of petitioner's 30-minute allotted time for oral argument is granted.

S179194 H034040 Sixth Appellate District

**BAKER (CHRISTINE L.) v.
WORKERS'
COMPENSATION APPEALS
BOARD & X.S.**

Order filed

The request of petitioner to allocate to amicus curiae California Chamber of Commerce 15 minutes of petitioner's 30-minute allotted time for oral argument is granted.

S182508 A123726 First Appellate District, Div. 4

**SEABRIGHT INSURANCE
COMPANY v. U.S. AIRWAYS,
INC./(LUJAN)**

Order filed

The request of respondent to allocate to amicus curiae California Building Industry Association 10 minutes of respondent's 30-minute allotted time for oral argument is granted.

S182508 A123726 First Appellate District, Div. 4

**SEABRIGHT INSURANCE
COMPANY v. U.S. AIRWAYS,
INC./(LUJAN)**

Order filed

The request of counsel for appellants in the above-referenced cause to allow two counsel to argue on behalf of appellants at oral argument is hereby granted.

The request of appellants to allocate to appellant Seabright Insurance 15 minutes and intervener and appellant Lujan 15 minutes of appellants' 30-minute allotted time for oral argument is

granted.

S130263

**GAY (KENNETH EARL) ON
H.C.**

Referee appointed

THE COURT:

Based on the record in this matter and good cause appearing, it is ordered:

The Honorable Lee Smalley Edmon, Presiding Judge of the Superior Court of California, County of Los Angeles, is to select a judge of the Los Angeles Superior Court to sit as a referee in this proceeding, and is to promptly notify this court of the referee selected. After appointment by this court, the referee is to take evidence and make findings of fact on the following questions regarding the case of *People v. Kenneth Earl Gay* (Los Angeles Superior Court No. A392702; Judge Dana Senit Henry):

1. What actions did petitioner's trial counsel, Daye Shinn, take to investigate a defense at the guilt phase of petitioner's capital trial that petitioner did not participate in the murder of Officer Verna? What were the results of that investigation?
2. What additional evidence supporting that defense, if any, could petitioner have presented at the guilt phase of his capital trial? What investigative steps, if any, would have led to this additional evidence?
3. How credible was this additional evidence? What circumstances, if any, weighed against the investigation or presentation of this additional evidence? What evidence rebutting this additional evidence reasonably would have been available to the prosecution at trial?
4. Did the Los Angeles County District Attorney's investigation of allegations that petitioner's trial counsel, Daye Shinn, had engaged in acts of embezzlement unrelated to petitioner's case give rise to a conflict of interest in petitioner's case? If so, describe the conflict of interest.
5. If this conflict of interest existed, did it affect trial counsel Daye Shinn's representation of petitioner? If so, how?

S192130

ACCUSATION OF PEARNE

Petition denied

(accusation)

S192158

ACCUSATION OF ZAFFKE

Petition denied

(accusation)

S192293

**ACCUSATION OF
CASTANON**

Petition denied

(accusation)

S190178**WELLS ON DISCIPLINE**

Petition for writ of review denied; disbarred

The petition for writ of review is denied.

The court orders that STEPHINE M. WELLS, State Bar Number 113148, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

STEPHINE M. WELLS must comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

